

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

**FILED**

DATE: July 10, 2009

3:14 O'Clock P. M.

**JEANNE HICKS, CLERK**

BY: Rachel Roehe  
Deputy

DIVISION: 6

JEANNE HICKS, CLERK

HON. THOMAS B. LINDBERG

By: Rachel Roehe, Deputy Clerk

CASE NO. CR20081339

DATE: **July 10, 2009**

**TITLE:**

**COUNSEL:**

**STATE OF ARIZONA**  
(Plaintiff)

**Yavapai County Attorney**  
(For Plaintiff)

vs.

**STEVEN CARROLL DEMOCKER**  
(D-1)

**John Sears**  
107 North Cortez Street, Suite 104  
Prescott, AZ 86301

**Larry Hammond**  
**Anne Chapman**  
OSBORN MALEDON, P.A.  
2929 North Central Avenue, 21<sup>st</sup> Floor  
Phoenix, AZ 85012  
(For Defendant)

**HEARING ON:**

**NATURE OF PROCEEDINGS**

**COURT REPORTER**

*Ex Parte, in Camera Under Seal Hearing*

Roxanne Tarn

**START TIME: 2:22 p.m.**

**APPEARANCES:** Steven DeMocker, Defendant  
John Sears, Counsel for Defendant  
Larry Hammond, Counsel for Defendant

This is the time set for the *Ex Parte, in Camera Under Seal Hearing*.

If a Motion for Indigency and 15.9 Appointment has been filed, it shall be sealed in the file, but shall be made available to the Appellate Court if there is a conviction in this case. These documents shall not be scanned into the computer.

Steven Democker is sworn and testifies as to indigency.

The Court finds that the Defendant is currently indigent based upon the financial statements and testimony that clarifies the financial statements. The Court directs that the financial statement shall be sealed.

The Defendant's presence is waived for the remainder of the hearing. At 2:36 p.m., the Defendant exits the hearing.

Discussion takes place regarding Public Defender issues.

The Court requests that Defense Counsel provide the Court with a draft of an order for the prospective persons nominated and their cost per hour.

Discussion takes place regarding the cost of the transcript of the Simpson/12.9 Hearing.

The Court has contacted the Public Defender's Office and set up a tentative meeting as a confidential *ex parte*, closed, under seal type of proceeding with John Sears and the Court, on **Thursday, July 16, 2009, at 3:30 p.m.** The Defendant's presence is waived. Larry Hammond's presence is waived if he so chooses.

**END TIME: 3:14 p.m.**

**THEREAFTER, off the record**, the Court directs that the Defendant's Financial Statement shall be attached to this minute entry. This minute entry shall be sealed in the file, shall not be scanned into the computer system and shall not be distributed.

STATE OF ARIZONA Plaintiff

-VS-

STEVEN C. DEMUCKER

Defendant (FIRST, MI, LAST)

[CASE/COMPLAINT NO.]

CR2008-1339  
Div. 6DEFENDANT'S  
FINANCIAL  
STATEMENT  
(Confidential)

**INSTRUCTIONS TO THE DEFENDANT:** You are to answer the following questions so the Judge can decide whether to appoint an attorney to represent you and/or, if a bond is required, how much it should be, or any other matter relating to indigence. Use care in filling in your answers. If you need more space for any answer, note such and write on the back of the page. If you knowingly give false or misleading information, you may be punished for contempt of court or subjected to prosecution for fraud or perjury.

- Full name: Steven C. DeMucker
- Check the appropriate box: ☒ Single ☐ Married, living w/ spouse ☐ Married but separated ☐ Divorced ☐ Widowed ☐ Partnered
- In addition to yourself, how many other adults do you support? 1 How many children? 1

**INCOME:**

- List below in Column 1 the money that you are paid or receive each month. If you are married and are living with your spouse, list below in Column 2 the money that your spouse is paid or receives each month. If you are separated, divorced, widowed, partnered or single, leave Column 2 blank.

**Column 1**Amount paid to **Me** Monthly**Column 2**Amount paid to **Spouse** Monthly

a. Wages, Salaries, Self Employment Income	\$ <u>0</u>	\$ <u>0</u>
b. Payroll deductions	\$ _____	\$ _____
c. Unemployment compensation	\$ _____	\$ _____
d. Welfare benefits	\$ _____	\$ _____
e. Disability benefits	\$ _____	\$ _____
f. Veteran's benefits	\$ _____	\$ _____
g. Social Security benefits	\$ _____	\$ _____
h. Worker's compensation	\$ _____	\$ _____
i. Accident benefits	\$ _____	\$ _____
j. Retirement benefits	\$ _____	\$ _____
k. Allotment checks	\$ _____	\$ _____
l. Interest	\$ _____	\$ _____
m. Dividends	\$ _____	\$ _____
n. Child support received	\$ _____	\$ _____
o. Alimony or maintenance received	\$ _____	\$ _____
p. Total of any other income received	\$ _____	\$ _____
Source: _____		

**TOTAL MONTHLY INCOME:**\$ 0      \$ 0**ASSETS:**

- Cash:** List below the amounts of cash held or value of:
  - Cash on you, your spouse, or in your jail property, and at home
  - Cash in banks, credit unions, and elsewhere
  - Cash owed to you or to your spouse by others
  - Stocks and bonds; insurance policy cash values

\$ 0  
 \$ 30,000 \*  
 \$ 0  
 \$ 0

\* not owned by me - loaned from parents

e. Beneficial interest in a trust

\$ 0

6. **Personal Property:** List below any valuable personal property you own and have not listed above which is not needed by you or your family for day-to-day living.

a. Description	\$ <u>0</u> (value)	\$ _____ (owed)	\$ _____ (net value)
b. Description	\$ <u>0</u> (value)	\$ _____ (owed)	\$ _____ (net value)
c. Description	\$ <u>0</u> (value)	\$ _____ (owed)	\$ _____ (net value)

7. **Auto:** Complete the following information about any motor vehicles (e.g.: cars, trucks, trailers, boats, airplanes, motorcycles) that you are buying, that you own, or in which you claim to have an interest.

a. Make, Year and Model	<u>none</u>	\$ _____ (value)	\$ _____ (owed)	\$ _____ (net value)
b. Make, Year and Model	_____	\$ _____ (value)	\$ _____ (owed)	\$ _____ (net value)

8. **Real Estate:** Complete the following information about any real property (your home, other land, or buildings) that you are buying, that you own, or in which you claim to have an interest.

a. Location	<u>Alpine Meadows Drive *</u>	\$ <u>0</u> (value)	\$ _____ (owed)	\$ _____ (net value)
b. Location	_____	\$ _____ (value)	\$ _____ (owed)	\$ _____ (net value)

*\* in foreclosure*

**TOTAL AVAILABLE ASSETS:**

\$ \_\_\_\_\_

**EXPENSES:**

9. List below all monthly expenses **not already deducted** from your pay.

- a. Rent or house payment
- b. Total cost of utilities (water, electric, gas, telephone, trash)
- c. Food
- d. Credit card payments
- e. Installment loan payments
- f. Charge account payments
- g. Motor vehicle payments
- h. Union dues
- i. Medical care costs (doctors, dentists, medicine)
- j. Child support and alimony
- k. Cost of baby-sitter
- l. Motor vehicle insurance, maintenance and gas

\$ all paid by family

\$	
\$	
\$	
\$	
\$	
\$	
\$	
\$	
\$	
\$	
\$	
\$	

10. Do you have any expenses (monthly or otherwise) not shown above? If yes, please list below.

a. <u>legal expenses, paid by</u>	_____	\$ _____
	(how often paid)	(how much)
b. <u>family</u>	_____	\$ _____
	(how often paid)	(how much)
c. _____	_____	\$ _____
	(how often paid)	(how much)

**TOTAL MONTHLY EXPENSES:**

\$ \_\_\_\_\_

11. Are any of your expenses past due? If yes, please list below.

a.	<u>all of my debts are in default</u>	<u></u>	\$ <u></u>
		(how often paid)	(how much)
b.	<u></u>	<u></u>	\$ <u></u>
		(how often paid)	(how much)
c.	<u></u>	<u></u>	\$ <u></u>
		(how often paid)	(how much)

12. Do you have an attorney to help you with this case? ☒ Yes ☐ No

If yes, what is his/her name:  If no, are you planning to hire your own attorney? ☐ Yes ☐ No

13. Do you want the Court to appoint an attorney (public defender) to help you with this case? ☐ Yes ☒ No

a. How much can you pay as a down payment for attorney fees? \$   
b. How much can you pay each month for attorney fees? \$

14. **Oath under penalty of perjury:** I have truthfully and completely given the information in this statement. I have not knowingly concealed, or in any way misrepresented, my financial resources. I am aware that I may be held in contempt of court, or prosecuted for perjury if I have made any false statements or misrepresentation, or concealment, or if I continue to accept the services of a court appointed attorney after my financial condition has materially changed without notifying my court appointed attorney. In any such case, I understand that this application may be used against me.

I hereby make these representations under **PENALTY OF PERJURY:**

Date: 7-10-09

Defendant Signature: Steve D. Muck

Witnessed by: [Signature]

Social Security No.: 099-42-3468